

### **REMARKS**

The Examiner sets forth on page 2 of the Office Action that the present invention can be divided into six separate patentably distinct groups (denoted herein as Group A):

1. Group 1, Fig. 1, longitudinal hinge configuration;
2. Group 2, Fig. 3 and Fig. 2, wise hinge configuration;
3. Group 3, Figs. 18-20, chair mounted units;
4. Group 4, Fig. 13, angle adjustment units;
5. Group 5, Fig. 14, units having resilient cords; and
6. Group 6, Fig. 15, units having cords and pulleys,

The Examiner further states that the six Groups are distinct from one for the reasons set forth on page 2 of the office Action. The Examiner also requests that once an embodiment from the above is elected, Applicants must also elect the appropriate embodiment of foot pedals (denoted herein as Group B):

1. Figs. 5-7
2. Figs. 8-9, having resistance means as shown
3. Figs. 10-11, having rollers
4. Fig. 12, having flanges
5. Gliders which adjust downward as disclosed by element (48)

The Examiner submits that no claims are generic.

With respect to the Examiner's assertion that there are no generic claims, Applicants respectfully submit that independent claims 1 and 49 are clearly generic to all the species of Group A. With regard to the species of Group B, independent claim 1 is generic to at least species 1, 2 and 4, and claim 49 is generic to all species (e.g., species 1-5).

Applicants assert that a single search of pertinent prior art would appear to suffice for all aspects of the invention. Specifically, the various species appear to be so interrelated that a single examination would not appear to place a serious burden on the Examiner. Therefore, Applicant urges the Examiner to reconsider and withdraw the restriction requirement.


As the Examiner requires a provisional election, Applicants respectfully elect Group A, Species 1 or Group 1 (e.g., Fig. 1); and of the foot pedal embodiments, Group B, Species 1 (e.g., Figs. 5-7). Applicants respectfully submit that claims 1-2, 4-16, 39-45, and 49-51 are readable on the foregoing elected species.

If further issues regarding the restriction persist, the Examiner is invited to telephone Applicants' representative at the telephone number below.

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

By

  
Anthony A. Laurentano  
Registration No. 38,220  
Attorney for Applicants

28 State Street  
Boston, MA 02109  
(617) 227-7400  
Date: **May 11, 2004**